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S/1994/677
6 June 1994

ORIGINAL: ENGLISH

LETTER DATED 6 JUNE 1994 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith a letter dated 6 June 1994 from the Director General of the General Department of Atomic Energy of the Democratic People's Republic of Korea to Mr. Hans Blix, Director of the International Atomic Energy Agency (IAEA).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) PAK Gil Yon
Ambassador
Permanent Representative

94-24084 (E) 060694 07/06/94

/...

Annex

Letter dated 6 June 1994 from the Director General of the General Department of Atomic Energy of the Democratic People's Republic of Korea addressed to Mr. Hans Blix, Director General of IAEA

I very much regret that you came to a "hasty conclusion" that IAEA could not provide assurance about the non-diversion of nuclear material, alleging that the technical possibility for later measurement of core fuel rods would be lost at the five-megawatt experimental nuclear power plant.

We agreed, a few days ago, to the proposal of the Agency's Deputy Director General on the consultation by exchange of telexes in respect of the refuelling campaign, and requested the Agency to provide us with a scientific and technical response to the manner proposed by us, which preserved the technical possibility for later measurement of fuel rods.

Nevertheless, you have not yet answered our proposal and you have transmitted to the Security Council an unreasonable report in which facts were misrepresented, speaking ill of us as if we had not yet replied to the Agency's letter (S/1994/656, annex).

Moreover, what we cannot but make an issue of is the fact that you have ignored our unique status based on the suspension of our withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons.

This, our unique status, has been created and recognized by the United States of America and IAEA. For these reasons, they agreed to the inspection for the continuity of safeguards knowledge, and so far the Agency has conducted not the routine and ad hoc inspection under the Safeguards Agreement, but the inspection for the continuity of safeguards knowledge.

At present, the refuelling campaign, too, is conducted in the presence of IAEA inspectors and under IAEA surveillance and containment on the basis of the above-mentioned principles. The IAEA inspectors, who are present during the refuelling, have also recognized that there is no diversion of nuclear material from the reactor. Speaking of the verification of the core history alleged by the Agency, the matter will be resolved automatically if our unique status is removed. At present, we are conducting the refuelling campaign in a manner that preserves the technical possibility for later measurement of fuel rods, on the assumption that our unique status will be removed. The fuel discharge operation has been carried out channel by channel, channel group by channel group in sequence, and 40 rods from 4 channels have been discharged into one basket. All the operations of core discharge, including the identification numbers of baskets and channels, sequence of rods in a channel and the position of baskets in the spent fuel pond, have been kept on the accounting and operating records by operators and confirmed by the IAEA inspectors every day. This shows that the refuelling operation is conducted in a manner that preserves the possibility to reconstruct the channels of fuel rods and the sequence of rods in the channel, if necessary. The adequacy of the manner to preserve the technical

possibility for later measurement has been proven not only theoretically but also experimentally.

This is the only rational method suitable to our unique status. All the facts show that the Agency can verify whether the nuclear material from the reactor has been diverted in the past, at the time when our unique status is removed.

Nevertheless, it was stated in your reports to the IAEA Board of Governors and the Security Council that "any future measurement of that fuel would have no practical value because they would have to be based on operators' records which are unverifiable and also because it would not be possible to reconstruct the configuration of fuel rods in the core". This shows that you seem to have no interest in a fair solution of our "nuclear issue", in keeping with your predetermined prejudiced political view.

Our practical experience from past Agency inspections shows that the more we accept IAEA inspections with our maximum goodwill and generosity, the more artificial obstacles the Agency makes to the solution of our issue, leading us to a serious situation, in attaching an unreasonable condition to us every time.

We made our position clear during the Board meeting in February 1993 that the inconsistencies could be clarified if the Agency verified the fuel rods from the core during the refuelling campaign. However, at that time, the IAEA secretariat objected to our proposal, alleging that the inconsistencies could not be resolved in such a manner and making the Board adopt the resolution concerning a "special inspection of two ordinary military sites".

After the inspection last March, the IAEA secretariat transmitted to the Security Council the matter of the "non-completed inspection activities", alleging, upon the return to Vienna by the Agency inspection team that had completed the activities for the continuity of safeguards knowledge, that it was indispensable for the Agency to take smears from the plutonium glove box area and perform gamma mapping in building 3 at the radiochemical laboratory in order to verify non-diversion of nuclear material.

When we permitted the Agency to conduct "non-completed inspection activities" as a special exception, the Agency this time said to us that it was indispensable to measure the fuel rods from the core, which was a matter already denied by the Agency in the past.

On one hand, the Agency inspection team cancelled the agreement on the archive samples for clarification of the inconsistencies during the past inspection, and, on the other hand, said that it was indispensable for the Agency to make "special inspection of two ordinary military sites" to verify non-diversion of nuclear material.

This shows that the IAEA secretariat continues to join the United States of America in their hostile policy towards the Democratic People's Republic of Korea to make our ordinary military sites open one by one under the pretext of the inspection.

The current development of the refuelling campaign bears resemblance to the IAEA's pressure campaign in the beginning of 1993 when the Agency cooked up non-existent "inconsistencies" on the basis of false intelligence information provided by a third party and imposed on us the so-called "special inspection of two ordinary military sites" on the basis of the "inconsistencies".

I think such unreasonable acts of the IAEA are unprecedented events in the history of safeguards. I would like to remind you that, for these reasons, we could not but have withdrawn from the Treaty on the Non-Proliferation of Nuclear Weapons last year.

In the light of the above, we cannot but doubt whether our nuclear issue can, indeed, be resolved through further consultations with the IAEA.

Recently, the IAEA secretariat has made obstacles to our normal nuclear activities concerning the refuelling operation at the beginning of the campaign, intentionally avoiding the presence of the IAEA inspection team. On the other hand, at present, they have made another obstacle to a smooth solution of our nuclear issue by making a hasty conclusion that the Agency could not provide assurance about the non-diversion of nuclear material. All this is very irresponsible and hasty behaviour wherein objective reality has been intentionally misrepresented. Accordingly, the IAEA secretariat will have to bear the full responsibility for all the consequences arising from such wrong conclusions and unreasonable behaviour.

If the IAEA secretariat transmits our nuclear issue to the Security Council and continues to resort to pressure only on the basis of the "hasty conclusion" that the technical possibility for later measurement of the fuel rods has been lost, widening its unfairness and partiality, we will not feel any longer that we are subject to the unreasonable binding of the IAEA secretariat, and we cannot but go on to the next process in our peaceful nuclear activities.

PAK Yong Nam
Director General
General Department of Atomic Energy
Democratic People's Republic of Korea
Pyongyang

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S/1994/678
8 June 1994

ORIGINAL: ENGLISH

LETTER DATED 6 JUNE 1994 FROM THE PERMANENT REPRESENTATIVE OF JAPAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the text of an announcement by the Government of Japan of the further measures it has taken with regard to the implementation of the trade embargo against Haiti in accordance with United Nations Security Council resolution 917 (1994) adopted on 6 May 1994.

I should be grateful if you could arrange to have the text circulated as a document of the Security Council.

(Signed) Hisashi OWADA
Ambassador Extraordinary and
Plenipotentiary
Permanent Representative of Japan
to the United Nations

Annex

1. Trade embargo

The Government of Japan has taken the following measures so that any trade transaction pertinent to Haiti requires approval or licence of the Government. No approval or licence will be conceded to any transactions except those explicitly permitted under Security Council resolution 917 (1994).

(A) A notification of the Ministry of International Trade and Industry based on the Import Trade Control Order has been amended so that the export of goods whose country of origin or shipment area is Haiti shall be subject to approval of the Government.

(B) The Export Trade Control Order has been amended so that the export of goods destined for Haiti shall be subject to approval of the Government.

(C) The Foreign Exchange Control Order has been amended so that transactions concerning the purchase and sale of goods involving movement of goods between foreign countries, and those goods concerned in such purchase and sale whose country of origin, shipment area or destination is Haiti, shall be subject to licence of the Government.

2. Financial restrictions

The Government of Japan has taken the following measures so that any payment or capital transaction involving Haiti requires approval of or notification to the Government. No approval will be conceded or cancellation will be ordered for those transactions prohibited under the relevant Security Council resolutions.

(A) In order to implement the freeze on funds as required by the Security Council resolutions, the Ministry of Finance and the Ministry of International Trade and Industry, based on the Foreign Exchange Control Order, have amended the respective notifications concerned, so that the payment to persons or entities residing in Haiti or to entities controlled by them as well as the payment directed abroad by such persons or entities shall be subject to licence of the Government.

(B) In order to ensure that funds and financial resources are not made available to those persons set forth in Security Council resolution 917 (1994):

(I) The Ministry of Finance has amended its relevant notifications so that money-lending contracts with persons or entities residing in Haiti or with entities controlled by them and direct investment pertinent to business in Haiti shall require a prior notification to the Government; and

(II) The Ministry of International Trade and Industry has amended its relevant Ministry Ordinance so that any capital transaction with

persons or entities residing in Haiti or entities controlled by them shall require a prior notification to the Government.

3. Prevention of entry into Japan

Every visa application by Haitian nationals is reported to the Ministry of Foreign Affairs for screening. No visa shall be given to any person specified in the list to be compiled by the Committee pursuant to paragraph 3 of Security Council resolution 917 (1994).

The list mentioned above will be distributed to all ports of entry in order to prevent the entry of listed persons, and anyone without a visa will be denied permission to land in Japan. They are not eligible for permission to land in Japan as special cases.

4. Aircraft and vessels

The Ministry of Transport issued bulletins to entities related to transportation which require them to abide by the relevant provisions set forth in Security Council resolution 917 (1994), including the prohibition of flights to and from Haiti, and the prohibition of all traffic carrying cargoes prohibited under the resolution from entering or leaving the territorial area of Haiti.

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7 June 1994

ORIGINAL: ENGLISH

LETTER DATED 7 JUNE 1994 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

The members of the Security Council have considered your report of 27 May 1994 pursuant to resolution 845 (1993) concerning the difference between Greece and the former Yugoslav Republic of Macedonia (S/1994/632).

The members of the Council have asked me to convey to you their appreciation for your efforts and those of your Special Envoy, Mr. Cyrus Vance. They welcome the steps taken so far under your auspices and support your intention to proceed with further discussions as expeditiously as possible. They welcome the fact that both parties have agreed to take part in further talks at the level of Foreign Ministers on or about 13 June 1994. They urge both parties to cooperate fully with you and Mr. Vance in order to reach agreement on outstanding issues as soon as possible.

The members of the Council welcome your intention to report further on the substance of Mr. Vance's discussions after his meetings with the parties in June.

(Signed) Salim Bin Mohammed AL-KHUSSAIBY
President of the Security Council

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7 June 1994

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REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS OPERATION IN CYPRUS

(For the period 23 November 1993 to 31 May 1994)

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INTRODUCTION

1. The present report on the United Nations operation in Cyprus covers developments from 23 November 1993 to 31 May 1994 and brings up to date the record of activities of the United Nations Peace-keeping Force in Cyprus (UNFICYP) and the Secretary-General's mission of good offices pursuant to Security Council resolution 186 (1964) of 4 March 1964 and subsequent Council resolutions concerning Cyprus. In its resolution 889 (1993) of 15 December 1993, the Security Council, inter alia, called upon the military authorities on both sides to ensure that no incidents occurred along the buffer zone and to extend their full cooperation to UNFICYP. It also urged the leaders of both communities to promote tolerance and reconciliation between the two communities.

I. MANDATE AND COMPOSITION OF THE UNITED NATIONS PEACE-KEEPING FORCE IN CYPRUS

2. The mandate of UNFICYP was originally defined by the Security Council in its resolution 186 (1964) in the following terms:

> "In the interest of preserving international peace and security, to use its best efforts to prevent a recurrence of fighting and, as necessary, to contribute to the maintenance and restoration of law and order and a return to normal conditions."

That mandate, which was conceived in the context of the confrontation between the Greek Cypriot and Turkish Cypriot communities in 1964, has been repeatedly reaffirmed by the Council, most recently in its resolution 889 (1993) of 15 December 1993. In connection with the events that have occurred since 15 July 1974, the Council has adopted a number of resolutions, some of which required the Force to perform certain additional or modified functions relating, in particular, to the maintenance of the cease-fire. 1/

3. The functions of UNFICYP in pursuance of its mandate are:

(a) Maintenance of the military status quo and prevention of a recurrence of fighting;

(b) Humanitarian and economic activities to promote a return to normal conditions.

4. The following table shows the strength of UNFICYP as at 31 May 1994:

Military personnel

Argentina	HQ UNFICYP	5	
	Infantry battalion, United Nations task force	364	
	Military police element	6	375
Austria	HQ UNFICYP	7	
	Infantry battalion	332	
	Military observers	4	
	Military police element	8	351
Canada	HQ UNFICYP	5	
	Military police element	4	9
Denmark	HQ UNFICYP	1	1
Finland	HQ UNFICYP	1	1
Hungary	Military observers	4	4
Ireland	HQ UNFICYP	7	
	Camp Command Unit	17	
	Military observers	4	
	Military police element	2	30
United Kingdom of Great Britain and Northern Ireland	HQ UNFICYP	9	
	Army aviation flight	19	
	Supply detachment	5	
	UNFICYP roulement regiment	376	
	Military police element	4	413
	Total military		1 184

Civilian Police personnel

Australia		20	
Ireland		14	
	Total Civilian Police	34	
	Total UNFICYP		1 218

The current strength of 1,218 is 105 less than the 1,323 budgeted for in my report of 20 August 1993 to the General Assembly. 2/ Part of this shortfall is accounted for by an armoured car unit that has not yet been deployed. As anticipated in my report of 22 November 1993, 3/ 4 Canadian military policemen joined the Force on 4 January 1994 and on 1 March 1994 the Camp Command Unit joined the Force to provide administrative and logistic support services to Headquarters UNFICYP and units located within the United Nations protected area (UNPA) following the departure of the support regiment from the United Kingdom.

5. The deployment of the Force is shown on the map attached to the present report.

6. Mr. Joe Clark continued as my Special Representative for Cyprus and Mr. Gustave Feissel continued as my Deputy Special Representative, resident in Cyprus. The Force remained under the command of Major-General Michael F. Minehane (Ireland).

II. RELATIONS WITH THE PARTIES

7. In order to carry out its tasks effectively, UNFICYP maintained close liaison and cooperation at all levels with the two sides . The Force had freedom of movement in the southern part of the island, except for restricted military installations. Regarding movement in the northern part of the island, the guidelines established in 1983 4/ and subsequently improved in practice, continued to be applied, although UNFICYP experienced frequent difficulties. Efforts to increase UNFICYP's freedom of movement in the northern part of the island remained unsuccessful despite previous assurances given to UNFICYP that a positive response would be forthcoming in the near future. Furthermore, on two separate occasions the Turkish Cypriot Police interfered with UNFICYP patrols operating in the Karpas peninsula to the extent that their movement was restricted.

8. During the period under review, UNFICYP patrols continued to encounter some interference when approaching or entering the buffer zone or when operating in some areas of the buffer zone that were not frequently patrolled. During the past six months there were also a number of incidents on both sides when weapons were cocked and pointed at UNFICYP personnel patrolling in the buffer zone. UNFICYP continued to make strong representations to the authorities on both sides, emphasizing the dangers of such actions while reiterating UNFICYP's right to complete access to and freedom of movement in all parts of the buffer zone.

9. UNFICYP continued to work with humanitarian agencies of both parties to ensure that they complied with agreements and arrangements for the care of the members of the various communities. While cooperation with involved civilian authorities on both sides proved productive, Turkish Cypriot authorities impeded this work by preventing some individuals access to and egress from the northern part of the island.

III. FUNCTIONS OF THE FORCE

A. Maintenance of the cease-fire and the status quo

10. The cease-fire lines extend approximately 180 kilometres from the Kokkina enclave and Kato Pyrgos on the north-west coast, to the east coast south of Famagusta in the area of Dherinia. The area between the lines is known as the United Nations buffer zone. Its width varies from 20 metres to 7 kilometres, and it covers about 3 per cent of the island, including some of the most valuable agricultural land.

11. UNFICYP keeps the United Nations buffer zone under constant surveillance from 20 observation posts, daylight hour surveillance from 4 and periodic daily surveillance from 19. UNFICYP also maintains less frequent periodic surveillance from a further 108 observation posts, carries out vehicle, foot and air patrols and maintains surveillance of the seaward extension of the cease-fire lines. High-powered binoculars and night-vision devices are used to monitor the cease-fire lines on a continuous basis.

12. The UNFICYP patrol track runs the length of the United Nations buffer zone and is essential to the ability of the Force to monitor the cease-fire lines, supervise civilian activities in the buffer zone, resupply observation posts and react promptly to incidents. The British Royal Engineers and local civilian contractors maintain this track.

13. In May 1992, I reported that at an earlier stage, UNFICYP had agreed to permit the National Guard to clear mines from an area of the buffer zone, on the understanding that the land would be designated for farming. I indicated that despite strong protests from UNFICYP, the National Guard had subsequently relaid the mine-field. 5/ I also reported that the Government of Cyprus had agreed to remove the relaid mines in question. During the period under review and despite UNFICYP's further representations, the Government's earlier commitment in this regard was not fulfilled.

14. The number of cease-fire violations increased slightly in the past six months, but overall, the military forces on both sides continued to demonstrate restraint and discipline in this respect. Most of the reported shooting incidents were accounted for as accidental discharges of weapons by soldiers on one side or the other or attributed to unannounced range practices. However, during the early part of the reporting period, the Turkish Cypriot press repeatedly published reports of shooting incidents along the buffer zone. On numerous occasions, upon investigation UNFICYP determined that the allegations in question were unfounded and so informed the authorities on both sides.

15. In regard to air violations of the buffer zone, there were 4 overflights of the buffer zone and 29 other violations close to the buffer zone by Turkish Forces aircraft, while there were 2 overflights of the buffer zone and 5 other violations close to the buffer zone by National Guard aircraft. With regard to aircraft of the Cyprus Police Airwing, there was 1 overflight of the buffer zone and there were 7 violations close to the buffer zone. In addition, there were 11 overflights of the buffer zone from the northern part of the island and 7 from the south by civilian aircraft. Civilian or military aircraft of other countries accounted for a further 18 overflights. All overflights of the buffer zone were protested by UNFICYP. In addition, the Government of Cyprus has protested to me that fighter aircraft of the air force of the Republic of Turkey violated the airspace of Cyprus in December 1993 and in January and May 1994.

16. During the period under review, the opposing forces continued their programme of construction along and behind their respective cease-fire lines, which at times caused an increase in tension. The National Guard continued to add concrete pipes to their positions at a number of locations, constructed 10 reinforced bunkers overlooking the Larnaca-Nicosia highway in the area south of Lymbia and constructed 2 more in the area south of Yeri. The Turkish Forces

added over 100 tank run-up positions in its area south-east of Nicosia and west of Tymbou airport, improved their position in a number of areas throughout the built up area of Nicosia and constructed a land line trench in the buffer zone, which was refilled only after repeated urging on the part of UNFICYP. Both sides often refused to cooperate in UNFICYP's investigations into these violations and remained reluctant to allow inspections of their positions or to return to the military status quo.

17. Despite UNFICYP's continued representations, Greek Cypriot tourist and fishing boats continued to cross the seaward extensions of the cease-fire lines known as the maritime security lines, which were established by UNFICYP as a practical measure for security and safety purposes in the vicinity of Kokkina and Famagusta. 6/ This practice raises tension and is potentially dangerous for the individuals concerned. Therefore, I urge restraint by all parties and request that the authorities assist UNFICYP in supporting this measure.

18. As noted in my report of 22 November 1993, 3/ threats to safety and security arose as a result of hunting by Greek Cypriots in certain areas of the buffer zone during the 1992 hunting season. Following UNFICYP representations, the Government supported a ban on such hunting. None the less, during the hunting season, from 7 November to 29 December 1993, 384 violations were recorded.

Unmanning

19. It will be recalled that in its resolution 889 (1993) of 15 December 1993, the Security Council called, once again, upon the military authorities on both sides to cooperate with UNFICYP in extending the 1989 unmanning agreement to cover all areas of the buffer zone where the two sides were in close proximity to each other. In early 1993, UNFICYP had transmitted to the military on each side, that is the National Guard and the Turkish Forces, detailed proposals for carrying out the Council's long-standing injunction in this matter. These respective military authorities, therefore, had had considerable time to ponder UNFICYP's proposals. Unfortunately, no headway has been made since then despite the repeated efforts of the Force Commander. The National Guard has repeatedly indicated that it is prepared to pursue detailed discussions, at the level of Chief of Staff, of the UNFICYP proposals in question. The Turkish Forces, on the other hand, have not agreed to enter discussions on the matter. The Commander of the Turkish Forces essentially declared anew that the entire subject was "political in nature", fell within the purview of the "Government of the TRNC" and that, as a consequence, he was not in a position to discuss it with UNFICYP.

Carriage of live weapons and ammunition and range firing

20. Also in its resolution 889 (1993), the Security Council, in paragraph 5, repeated an injunction that it had first made in its resolution 839 (1993) of 11 June 1993, calling again upon the military authorities on both sides to begin discussions with UNFICYP without further delay with a view to entering into mutual commitments to prohibit along the cease-fire line live ammunition or weapons other than those which were hand-held and to prohibit also the firing of weapons within sight or hearing of the buffer zone. Resolution 889 (1993), it

will be recalled, was adopted after the Council had considered my report of 22 November 1993, 3/ in paragraph 72 of which I had described the position that had been taken by the Commander of the Turkish Forces in response to approaches made by the UNFICYP Force Commander in this regard.

21. During the current mandate period, UNFICYP's Force Commander again took up this matter with his counterparts, the Commanders respectively of the National Guard and of the Turkish Forces. In response, the Commander of the National Guard indicated that he was agreeable to his own Chief of Staff and the UNFICYP Chief of Staff pursuing detailed discussions. The Commander of the Turkish Forces, while indicating that the troops manning the Turkish Forces cease-fire line had been ordered to keep range firing near the buffer zone to a minimum, reiterated the position taken last year by the Turkish Forces that the entire subject was "political in nature", fell within the purview of the "Government of the TRNC" and that, as a consequence, he was not in a position to discuss it with UNFICYP.

The fenced area of Varosha

22. There were no incidents in the fenced area of Varosha. UNFICYP continued to monitor the area as closely as possible to ensure that the status quo was maintained. UNFICYP's freedom of movement within the area, however, continued to be restricted. As has often been stated in my reports to the Security Council, the United Nations considers the Government of Turkey responsible for maintaining the status quo in the fenced area of Varosha. 7/ This position has been reiterated to the Turkish and Turkish Cypriot authorities on numerous occasions.

23. It will be recalled that in my report of 22 November 1993, 3/ in paragraph 64, I mentioned certain difficulties that had arisen in respect of access for official UNFICYP visitors to the fenced area of Varosha. Specifically, I stated at the time that the Government of Turkey had recently sought unilaterally to change long-standing procedures for access to the fenced area of Varosha. Those difficulties have persisted throughout the current mandate period.

Troop strengths and defence spending

24. In paragraph 4 of resolution 889 (1993), the Security Council urged all concerned once again to commit themselves to a significant reduction in the number of foreign troops in the Republic of Cyprus and a reduction of defence spending in the Republic of Cyprus. Unfortunately, there has been no progress on this count during the current mandate period.

25. President Clerides wrote to me on 17 December 1993, putting forward a proposal for demilitarizing the island that includes: disbanding the National Guard and transferring all of its arms and military equipment to the custody of UNFICYP; maintaining the Cyprus Police at its present strength, equipped with light weapons; defraying the total cost of an enlarged United Nations peace-keeping force that would have rights of inspection; use by that peace-keeping operation of heavy National Guard equipment in its custody; and depositing in a United Nations account all money saved from disbanding the National Guard and

from discontinued arms purchases, after deducting the cost of a United Nations peace-keeping operation, to be used for the benefit of both communities after the solution of the Cyprus problem. President Clerides has indicated that the aforementioned "offer" was made provided that the Turkish Forces were withdrawn from Cyprus, the Turkish Cypriot forces disbanded and their weapons and military equipment put in the custody of the United Nations peace-keeping force. At the same time, Mr. Clerides publicized his proposal.

26. Mr. Denktaş has declared Mr. Clerides' proposal impractical and propagandistic given the realities and unhappy recent history of the island and has stated, in reference to the draft framework agreement for an overall settlement of the Cyprus problem, which has been discussed in the context of my mission of good offices, that "Turkish forces, other than those to be retained under the updated Treaties of Guarantee and of Alliance, will withdraw from Cyprus within the framework of a lasting solution, which can only be realized if mutual confidence is established between the two peoples on the island".

27. On 22 December 1993, I wrote a letter to Her Excellency the Prime Minister of Turkey in which I referred to Mr. Clerides' demilitarization proposals and invited any comments that she might have thereon. The Government of Turkey informed me in response that, in its view, the appropriate party to receive such a communication was the leader of the Turkish Cypriot community who, it pointed out, participates in talks within the framework of my good offices mission on an equal footing with the leader of the Greek Cypriot community.

28. It is estimated that in recent years there have been in the northern part of the island a little under 30,000 members of the armed forces of the Republic of Turkey (Turkish Forces), making it one of the most highly militarized areas in the world in terms of the ratio between numbers of troops and civilian population. Recently, moreover, there have been indications that the total numbers of Turkish Forces on the island may have increased. Furthermore, it is clear from information that has reached the public domain that, in line with what is happening elsewhere, the equipment operated by the Turkish Forces in Cyprus is undergoing a process of upgrading, although the extent of that process is not known.

29. Meanwhile, there are now estimated to be in excess of 2,000 Greek personnel composed of the ELDYK regiment provided for under the 1960 Treaty of Alliance and individual personnel assigned separately therefrom to Cyprus.

30. Of note in this context are bilateral steps taken recently by the Republic of Cyprus and Greece. In November 1993, following a meeting in Athens between President Clerides and Prime Minister Papandreou, a new "defence dogma" was announced by which the "defence line" of Greece would henceforth embrace Cyprus. Coordination between the two Republics and joint planning of their common defence as well as air and naval protection of Cyprus by Greece were specifically anticipated. Since then, a wide range of activities was announced with a view to joint defence planning, liaison, exercise and upgrading of equipment.

31. Since 1988, successive Governments of the Republic of Cyprus have been implementing a programme of armaments acquisition to enhance significantly the

equipment operated by the National Guard. This has resulted in a significant increase in defence spending by the Republic. On 21 March 1994, the House of Representatives approved a defence expenditure of 205 million Cyprus pounds for 1994. It is not at all clear that this amount covers all anticipated programmes and activities. In explanation of his Government's approach to strengthening the equipment and organization of the national defence of Cyprus, President Clerides has cited the aforementioned strong presence of the Turkish Forces in Cyprus and the naval and air capabilities of Turkey, owing to its geographical proximity to Cyprus.

32. In summary, it is with regret that I am obliged to report that, contrary to the repeated calls of the Security Council and even as efforts aimed at building confidence on the island have been intensively pursued, the numbers of foreign troops in the Republic of Cyprus have not been reduced, military equipment on both sides of the buffer zone is being upgraded and the enhanced level of defence spending in the Republic continues apace.

B. Restoration of normal conditions and humanitarian functions

33. UNFICYP has worked for many years with authorities and agencies on both sides to facilitate a wide spectrum of humanitarian activities. It has sponsored bicommunal contacts and encouraged authorities to cooperate in restoring normal conditions for members of both communities. During the reporting period there has been further progress in persuading both sides to cooperate more closely in connection with essential humanitarian services and in promoting people-to-people contact. In this context, the UNFICYP exchange point at the Ledra Palace Hotel continues to operate smoothly and the following are some recent developments:

(a) Turkish Cypriot ambulances escorted by UNFICYP Civilian Police (CIVPOL) and fitted with temporary licence plates now cross the buffer zone directly from point of origin in the northern part of the island to hospitals in the southern part and return. Both communities have benefited from this new procedure. To date there have been 14 medical evacuations of Greek Cypriot patients and 6 medical evacuations of Turkish Cypriot patients;

(b) For the first time, UNFICYP's Humanitarian Branch has been able to organize bicommunal meetings attended by senior officials with responsibility for humanitarian affairs from both sides. These direct contacts are to be encouraged as they are helpful in breaking barriers and fostering an atmosphere of cooperation and good will;

(c) Another significant success was a bicommunal day of blood donations combined with a sports event held in south Nicosia. This event was organized by the Australian CIVPOL and was attended by 150 Turkish Cypriots who came south for the day - the largest number in many years. Another event is planned for the near future, this time to be hosted by the Turkish Cypriots;

(d) Contacts have also been established between associations for handicapped children on both sides. To date, a number of meetings have taken

place at the exchange point and there are plans for further direct contacts and cooperation;

(e) The Ledra Palace Hotel continues to serve as a venue for frequent meetings, conferences and other bicommunal activities. Of particular note is an increased frequency of meetings between youth organizations from both sides.

34. The number of Greek Cypriots in the northern part of the island is now 535, of whom 532 live in the Karpas peninsula and the remaining 3 in Kyrenia. UNFICYP continued to provide them with humanitarian support, delivering foodstuffs and other supplies provided by the Government of Cyprus. The average age of the Greek Cypriots is now 66.

35. The vetting by Turkish Cypriot authorities of school texts destined for Greek Cypriot schools in the Karpas peninsula is causing an inordinate delay in the arrival of the texts at their final destination. I would call once again upon the Turkish Cypriot authorities to review this procedure and indeed their requirement to vet these school texts.

36. UNFICYP continued to interview Greek Cypriots who applied for "permanent transfer" to the southern part of the island in order to verify that the transfer was voluntary. Two such transfers took place during the reporting period and three Turkish Cypriots transferred permanently from south to north. UNFICYP also facilitated 486 visits by Greek Cypriots from the Karpas peninsula to the southern part of the island.

37. UNFICYP continued periodic visits to Turkish Cypriots living in the southern part of the island and assisted in arranging family reunion visits for Turkish Cypriots at the UNFICYP exchange point in the Ledra Palace Hotel.

38. The number of Maronites living in the northern part of the island is now 235. UNFICYP continued to help them to contact Maronites living elsewhere on the island and facilitated delivery of foodstuffs and other supplies provided by the Government of Cyprus.

39. In the latter part of April 1994, UNFICYP received from members of the Turkish Cypriot community allegations that in the period from 7 to 23 April 1994, in some 5 incidents, 22 Turkish Cypriots in the southern part of the island had been taken into police custody there, beaten and forcibly sent across the buffer zone into the northern part of the island. In the period between mid-April and 10 May 1994, UNFICYP'S Civilian Police conducted an investigation of these allegations through interviews with, and medical examinations of, 14 of the alleged 22 victims. Based on the information garnered by them from this process, CIVPOL has concluded that prima facie there is adequate material to support the plausibility of the allegations raised. The full CIVPOL reports have been passed by UNFICYP to the Government of Cyprus, which has undertaken to revert to UNFICYP after fully looking into the matter.

40. The mixed village of Pyla, situated in the buffer zone, continued to receive attention from UNFICYP. The Force's civilian police presence there has been increased. In general, the village is calm and life there proceeds quietly. The present mandate period has seen advances in several areas of

village life. Firstly, a long-standing discriminatory situation by which no plots of Hali land (public land owned by the State) had been allocated to Turkish Cypriot residents of Pyla has come to an end with the allocation of a sizeable plot to the Turkish Cypriot community of Pyla for use as a sports field. It is now anticipated that applications from individual Turkish Cypriot residents of Pyla for allocation of plots of Hali land, after processing through UNFICYP, will result in the desired allocations being made. It is hoped that all concerned will continue to adopt a pragmatic approach in this matter. Secondly, the long-standing situation by which an inadequate supply of electricity was available to the homes of the Turkish Cypriots in Pyla has been brought to an end by a pragmatic arrangement involving all concerned.

41. Unfortunately, the Cyprus Police checkpoint that has been located on the Larnaca-Pyla road, just outside the buffer zone, and which has been disrupting aspects of the village's economy for several years, remains in place despite undertakings that it would be removed. At the same time, the checkpoint has of late operated less intensively than in the past. An increase in the number of tourists visiting the village has been noted. A Turkish Cypriot Police element checkpoint is also maintained on the northern side of the village, just outside the buffer zone, on the road linking Pyla and Pergamos.

42. Regrettably, there has also not yet been a conclusion to the violation of the status quo caused by the recent suspension above the Greek Cypriot coffee shop in the village square of a political sign that includes the national flag of Greece, in violation of the agreed flag regime of the village. Upon protest from UNFICYP, the Greek Cypriot side agreed to remove the flag/sign. However, it has not yet done so.

43. Once again, during the current mandate period, the Government of Cyprus expressed to the United Nations its concern about the continued changing of geographical and place names in the northern part of the island. The Government also stated that, in violation of the 1954 Hague Convention, the monastery of Apostolos Varnavas (Saint Barnabas) had been turned into a museum of antiquities, displaying exhibits from approved private collections of Messrs D. Hadjiprodromou and M. Zavos and from the stores of the Salamis archaeological site. Also, the Government stated that the church at the village of Livera had been turned into a mosque. These concerns were again brought to the attention of the Turkish Cypriot authorities.

44. During the period under review, the focus of the Office of the United Nations High Commissioner for Refugees (UNHCR) in Cyprus was the promotion of bicommunal cooperation in numerous areas. The UNHCR activities were further strengthened by exchange visits and joint activities in both communities among professionals and technical persons. Each bicommunal planning committee felt the need to create subcommittees on specialized fields within a general area and this modality was used to expand bicommunal participation to a greater number of persons. Implementation of the results of feasibility studies in community mental health and care of the elderly are under way. Special events related to the different areas of bicommunal cooperation have drawn together a cross-section of people from all over Cyprus.

45. The United Nations Development Programme (UNDP), as coordinator of the United Nations system's operational activities for development, continued to work with the specialized agencies to promote planning for bicommunal projects. It also supported work relating to the efforts to implement the package of confidence-building measures in Cyprus by providing full funding for the technical teams that carried out studies on the reopening of Nicosia International Airport and of the fenced area of Varosha under the administration of the United Nations.

IV. COMMITTEE ON MISSING PERSONS

46. During the period under review, the Committee on Missing Persons in Cyprus held 3 sessions (seventy-sixth to seventy-eighth), consisting of a total of 12 meetings, of which 8 were attended by the 3 members of the Committee and their assistants, and 4 were attended solely by the 3 members.

47. As mentioned in my last report 3/ on 4 October 1993, I addressed a letter to both leaders to underline my deep concern about the lack of progress and to stress the need for both communities to demonstrate urgently their determination to support the work of the Committee. I called on both leaders to support two vital recommendations:

(a) Both sides should submit to the Committee all their cases without further delay;

(b) The Committee should urgently reach a consensus on the criteria to be applied for concluding its investigations.

48. I addressed a second letter to both leaders on 28 February 1994. I noted that while some progress had been made on the submission of cases to the Committee, the two objectives set out in my letter of 4 October 1993 had not yet been fulfilled and I stressed that these objectives should be achieved without delay.

49. The submission of the cases has continued despite certain technical difficulties. Substantive discussions with both sides concerning the basic question of criteria to be applied in deciding on the cases have been undertaken in Nicosia and in Geneva. It is indispensable that a comprehensive and workable agreement on these criteria soon be reached. If not, it is difficult to see how the Committee can fulfil the purpose for which it was established.

50. I propose to review the situation at mid-year and evaluate how far the work of the Committee on Missing Persons merits the continued support of the United Nations.

V. FINANCIAL ASPECTS

51. Should the Security Council decide to extend the mandate of UNFICYP for a further period of six months, that is, from 16 June to 15 December 1994, it is noted that the mandate would expire two weeks prior to the end of the United

Nations financial year. In these circumstances, and in order to facilitate and streamline financial and administrative procedures at UNFICYP, it is requested that on an exceptional basis, the Security Council should on this one occasion extend the mandate of the Force by 6 months and 16 days, that is from 16 June to 31 December 1994, thereby making expiry of the mandate coincide with the end of the financial year.

52. In the event that the Security Council approves the extension of the mandate of UNFICYP as recommended in paragraph 51 above, the cost to maintain UNFICYP for a further six and a half months is estimated to be $25.3 million, as detailed in the annex to the present report. It would be my recommendation to the General Assembly that the costs for UNFICYP for the period after 15 June 1994 that are not covered by voluntary contributions be considered as an expense of the Organization in accordance with Article 17, paragraph 2, of the Charter of the United Nations and that the assessments to be levied on Member States be credited to the UNFICYP special account.

VI. GOOD OFFICES OF THE SECRETARY-GENERAL

53. In resolution 889 (1993) the Security Council requested me to submit a report by the end of February 1994 on the outcome of my efforts to achieve an agreement on the package of confidence-building measures relating to the fenced area of Varosha and Nicosia International Airport. I provided to the Council an interim report on this subject (S/1994/262) on 4 March 1994. By its resolution 902 (1994) of 11 March 1994 the Security Council welcomed the aforementioned report, stressed the need to conclude without delay an agreement on the key issues for implementing the package and requested that I submit a further report by the end of March. On 4 April, therefore, I reported further to the Council (S/1994/380). By a letter dated 11 April 1994 (S/1994/414), the President of the Security Council informed me that the members of the Council endorsed my approach and underlined the need to conclude, before the end of April, an agreement on the implementation of the package of confidence-building measures on the basis that had been suggested by my representatives in proximity talks with the two communities in Cyprus. On 30 May 1994 I submitted to the Security Council the full report (S/1994/629) on my efforts that had been requested by the Council in its resolution 889 (1993).

VII. OBSERVATIONS

54. The results of my efforts in the context of my good offices mission have been amply covered by my recent report to the Security Council of 30 May 1994 (S/1994/629). I will not repeat here the options put before the Council in that report, except to reiterate that in all but the first of those five options, it would be necessary to keep UNFICYP in being in order to maintain peace on the island and ensure a climate conducive to successful peacemaking.

55. In the prevailing circumstances, I believe that the continued presence of the Force on the island remains indispensable to achieve the objectives set by the Security Council. Therefore, I recommend that the Council extend the mandate of UNFICYP until the end of 1994, as recommended in paragraph 51 above.

In accordance with established practice, I have undertaken consultations on this matter with the parties concerned and I will report to the Council on these consultations as soon as they have been completed.

56. It is with regret that I report that detailed parallel discussions between UNFICYP and the respective military authorities on further unmanning of the buffer zone and on prohibition of live ammunition, weapons other than those that are hand-held and the firing of weapons within sight or hearing of the buffer zone have not taken place owing to the position taken by the Turkish Forces. For the same reason, difficulties with regard to access to Varosha persist. UNFICYP will redouble its efforts to engage the Turkish Forces and others in practical discussions on these important military issues and on the reinstatement of long-standing practical arrangements with regard to access to Varosha and I will report to the Council on these matters at the next opportunity. The lack of progress in these areas as well as in efforts to reduce the level of troops on the island is of grave concern, particularly when taken in the context of the lack of political will recently encountered in the efforts to reach agreement on implementation of the package of confidence-building measures.

57. I take this opportunity to express my appreciation to the Governments contributing troops and civilian police to UNFICYP for the steadfast support that they have given to this important peace-keeping operation of the United Nations. I also wish to thank the Governments that have made voluntary contributions towards the financing of the Force, particularly in response to my recent appeals for contributions towards the financing of the Force prior to 16 June 1993, when it was financed entirely through voluntary contributions. It is my hope that Governments will continue to show generosity in this regard.

58. In conclusion, I wish to pay tribute to my Special Representative, Mr. Joe Clark, to my Deputy Special Representative, Mr. Gustave Feissel, to the Force Commander, Major-General Michael Minehane, and to the military and civilian personnel of UNFICYP, who have continued to discharge with efficiency and dedication the important and difficult responsibilities entrusted to them by the Security Council.

Notes

1/ See Official Records of the Security Council, Thirty-fifth year, Supplement for October, November and December 1980, document S/14275 and note 57.

2/ See A/47/1001.

3/ S/26777.

4/ See Official Records of the Security Council, Thirty-eighth Year, Supplement for April, May and June 1983, document S/15812, para. 14.

5/ See S/24050.

6/ See Official Records of the Security Council, Fortieth Year, Supplement for October, November and December 1985, document S/17657, para. 19.

7/ See S/18880.

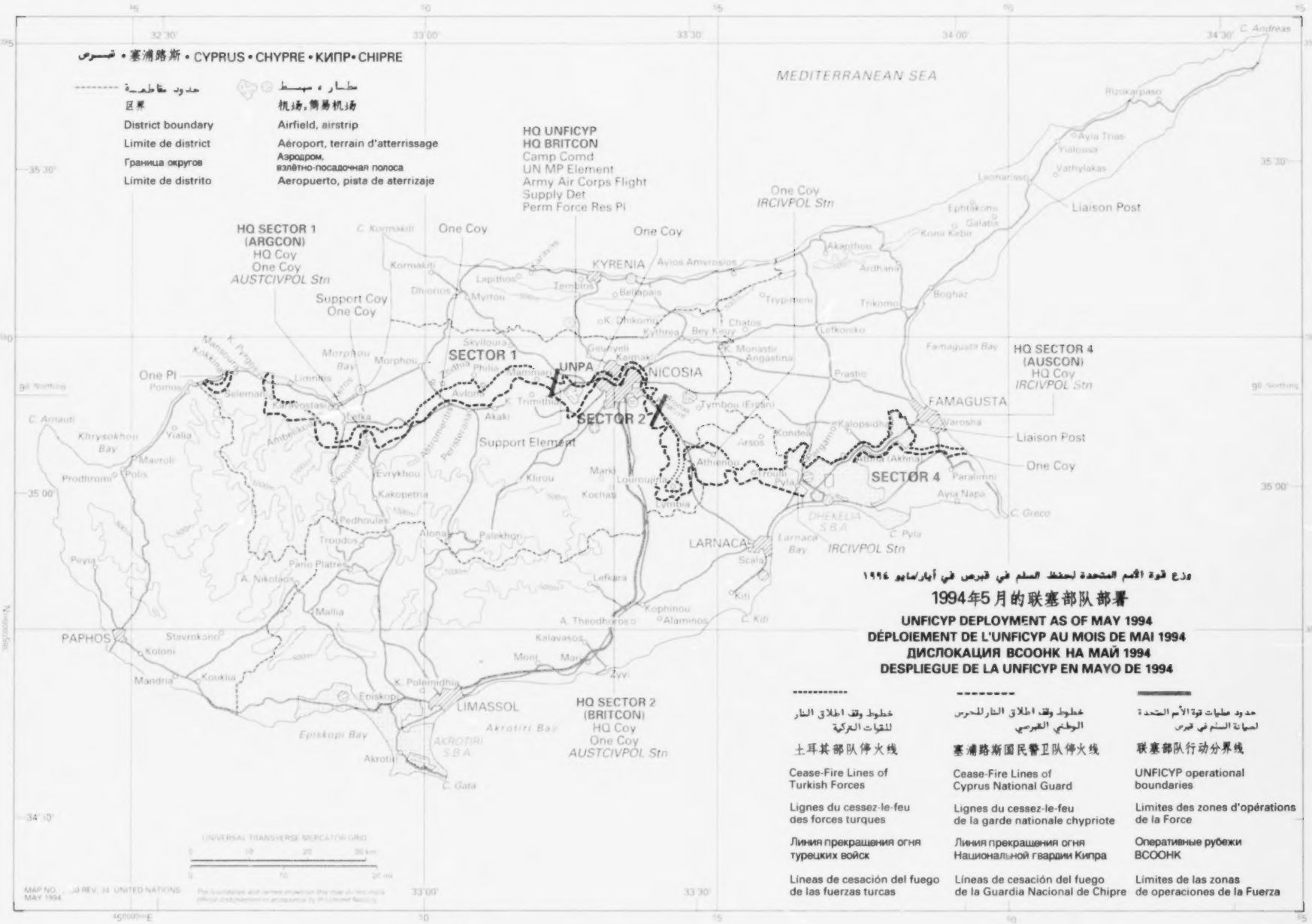
Annex

United Nations Peace-keeping Force in Cyprus

Summary cost estimate for six and one half months

(In thousands of United States dollars)

		Amount
1.	Military personnel costs	12 480
2.	Civilian personnel costs	2 560
3.	Premises/accommodation	890
4.	Infrastructure repairs	440
5.	Transport operations	1 650
6.	Air operations	1 000
7.	Naval operations	-
8.	Communications	290
9.	Other equipment	280
10.	Supplies and services	4 970
11.	Elections-related supplies and services	-
12.	Public information programmes	-
13.	Training programmes	-
14.	Mine-clearing programmes	-
15.	Assistance for disarmament and demobilization	-
16.	Air and surface freight	20
17.	Integrated Management Information System	30
18.	Support account for peace-keeping operations	210
19.	Staff assessment	480
	Total	25 300



وزع قوة الأمم المتحدة لحفظ السلم في قبرص في أيار/مايو ١٩٩٤

1994年5月的联塞部队部署

UNFICYP DEPLOYMENT AS OF MAY 1994
DÉPLOIEMENT DE L'UNFICYP AU MOIS DE MAI 1994
ДИСЛОКАЦИЯ ВСООНК НА МАЙ 1994
DESPLIEGUE DE LA UNFICYP EN MAYO DE 1994

خطوط وقف اطلاق النار للقوات التركية	خطوط وقف اطلاق النار للحرس الوطني القبرصي	حدود عمليات قوة الأمم المتحدة لصيانة السلم في قبرص
土耳其部队停火线	塞浦路斯国民警卫队停火线	联塞部队行动分界线
Cease-Fire Lines of Turkish Forces	Cease-Fire Lines of Cyprus National Guard	UNFICYP operational boundaries
Lignes du cessez-le-feu des forces turques	Lignes du cessez-le-feu de la garde nationale chypriote	Limites des zones d'opérations de la Force
Линия прекращения огня турецких войск	Линия прекращения огня Национальной гвардии Кипра	Оперативные рубежи ВСООНК
Líneas de cesación del fuego de las fuerzas turcas	Líneas de cesación del fuego de la Guardia Nacional de Chipre	Límites de las zonas de operaciones de la Fuerza

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Security Council

Distr.
GENERAL

S/1994/681
7 June 1994

ORIGINAL: ENGLISH

LETTER DATED 6 JUNE 1994 FROM THE PERMANENT REPRESENTATIVE OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith the text of paragraph 127 of the final document of the Eleventh Conference of the Foreign Ministers of the Non-Aligned Countries which took place in Cairo from 29 May to 4 June 1994 upon the dispute between the Libyan Arab Jamahiriya and France, United Kingdom and United States of America.

I should be grateful if Your Excellency would have this letter and its annex circulated as a document of the Security Council.

(Signed) Mohamed A. AZWAI
Ambassador
Permanent Representative

Annex

Paragraph 127 of the Final Document of the Eleventh Conference of the Foreign Ministers of the Non-Aligned Countries, held at Cairo from 29 May to 4 June 1994

127. The ministers welcomed Libya's acceptance of United Nations Security Council resolution 731 (1992) and reiterated the hope that the parties concerned should find a peaceful and just settlement that should secure the interests and rights of all parties in accordance with the norms of international law and the principles of the Charter of the United Nations. They expressed concern over the negative consequences of the continuation of the crisis on the Libyan people, the neighbouring countries and the region. They called upon the parties concerned to refrain from any action which would result in escalation and to settle the crisis in a peaceful and speedy manner, in accordance with Chapter VI of the Charter of the United Nations. They welcomed and upheld resolution No. 5373 of the Arab League, dated 27 March 1994, and urged the Security Council to take the new proposal it contains into consideration with a view to arriving at the peaceful and just settlement.

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Security Council

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GENERAL

S/1994/682
7 June 1994

ORIGINAL: ENGLISH

LETTER DATED 7 JUNE 1994 FROM THE PERMANENT REPRESENTATIVE OF YEMEN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose herewith contents of a message regarding the situation in Yemen, addressed to you by His Excellency Mr. Mohamed Salem Basendwah, Minister for Foreign Affairs of the Republic of Yemen.

I would appreciate it if the enclosed message be circulated as a document of the Security Council.

(Signed) Abdalla S. AL-ASHTAL
Ambassador
Permanent Representative

Annex

[Original: Arabic]

Message dated 7 June 1994 from the Minister for Foreign Affairs of Yemen addressed to the President of the Security Council

In pursuance of the Security Council resolution on the situation in Yemen, orders were issued for a cease-fire to commence at the time and on the date communicated to the United Nations, namely, as from midnight on 6/7 June 1994. At dawn on 7 June, however, the rebel forces launched an air and sea attack against our forces in the province of Aden and shelled our positions in the Al-Abr area in the province of Hadramaw. The shelling continued until today at 1800 hours.

As we prepare to receive the Secretary-General's Special Envoy, Mr. Lakhdar Brahimi, we reaffirm the commitment of the Republic of Yemen to implement Security Council resolution 924 (1994) in its entirety, including the provisions concerning a cease-fire.

(Signed) Mohamed Salem Basendwah
Minister for Foreign Affairs

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S/1994/683
7 June 1994

ORIGINAL: ENGLISH

LETTER DATED 7 JUNE 1994 FROM THE PERMANENT REPRESENTATIVE OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith the text of paragraph 144 of the Final Document of the Eleventh Conference of the Foreign Ministers of the Non-Aligned Countries which took place in Cairo from 31 May to 3 June 1994 regarding the implementation of the judgement delivered by the International Court of Justice on the Aouzou Strip.

I would be grateful if Your Excellency could have this letter and its annex circulated as a document of the Security Council.

(Signed) Mohamed A. AZWAI
Ambassador
Permanent Representative

Annex

Paragraph 144 of the Final Document of the Eleventh Conference of the Foreign Ministers of the Non-Aligned Countries, held at Cairo from 31 May to 3 June 1994

Aouzou strip

144. The ministers welcomed the agreement concluded between the Republic of Chad and the Libyan Arab Jamahiriya to implement the ruling of the International Court of Justice on their dispute over the Aouzou strip and praised the peaceful means by which this dispute had been solved. They considered this agreement a positive contribution to the consolidation of the unity of the Non-Aligned Movement.

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Distr.
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S/1994/684
8 June 1994

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Reaffirming all its previous resolutions on the situation in Rwanda, in particular its resolutions 912 (1994) of 21 April 1994 and 918 (1994) of 17 May 1994, which set out the mandate of the United Nations Assistance Mission for Rwanda (UNAMIR),

Having considered the report of the Secretary-General dated 31 May 1994 (S/1994/640),

Bearing in mind the statement made by the President of the Council on 3 May 1994 (S/PRST/1994/22),

Reaffirming its resolution 868 (1993) of 29 September 1993 on the security of United Nations operations,

Noting with concern that, to date, the parties have not ceased hostilities, agreed to a cease-fire, or brought an end to the violence and carnage affecting civilians,

Noting with the gravest concern the reports indicating that acts of genocide have occurred in Rwanda and recalling in this context that genocide constitutes a crime punishable under international law,

Reiterating its strong condemnation of the ongoing violence in Rwanda and, in particular, the systematic killing of thousands of civilians,

Expressing its outrage that the perpetrators of these killings have been able to operate and continue operating within Rwanda with impunity,

Noting that UNAMIR is not to have the role of a buffer force between the two parties,

Noting also that UNAMIR's expanded military component will continue only as long as and to the extent that it is needed to contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda and to provide security, as required, to humanitarian relief operations,

Underscoring that the internal displacement of some 1.5 million Rwandans facing starvation and disease and the massive exodus of refugees to neighbouring countries constitute a humanitarian crisis of enormous proportions,

Reiterating the importance of the Arusha Peace Agreement as the basis for the peaceful resolution of the conflict in Rwanda,

Commending the countries which have provided humanitarian assistance to Rwandan refugees, as well as emergency aid to alleviate the sufferings of the Rwandan people, and those countries which have contributed troops and logistical support to UNAMIR, and reiterating the urgent need for coordinated international action in this respect,

Welcoming the cooperation between the United Nations and the Organization of African Unity (OAU) and the contributions of the countries of the region, especially that of the facilitator of the Arusha peace process, and encouraging them to continue their efforts,

Welcoming the visit to Rwanda and to the region by the United Nations High Commissioner for Human Rights,

Noting the appointment, pursuant to resolution S-3/1 of 25 May 1994 adopted by the United Nations Commission on Human Rights, of a Special Rapporteur for Rwanda,

Reaffirming its commitment to the unity and territorial integrity of Rwanda,

1. Welcomes the Secretary-General's report of 31 May 1994 (S/1994/640);

2. Endorses the Secretary-General's proposals contained therein for the deployment of the expanded UNAMIR, in particular:

(a) The immediate initiation of the deployment of the two additional battalions in phase 2 in close synchronization with phase 1;

(b) The continuation of urgent preparations for the deployment of the two battalions envisaged for phase 3; and

(c) Flexible implementation of all three phases to ensure effective use of available resources to accomplish the tasks listed in paragraphs 4 (a) and (b) below;

3. Decides to extend the mandate of UNAMIR, expiring on 29 July 1994, until 9 December 1994;

4. Reaffirms that UNAMIR, in addition to continuing to act as an intermediary between the parties in an attempt to secure their agreement to a cease-fire, will:

(a) Contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda, including through the establishment and maintenance, where feasible, of secure humanitarian areas; and

(b) Provide security and support for the distribution of relief supplies and humanitarian relief operations;

5. Recognizes that UNAMIR may be required to take action in self-defence against persons or groups who threaten protected sites and populations, United Nations and other humanitarian personnel or the means of delivery and distribution of humanitarian relief;

6. Demands that all parties to the conflict cease hostilities, agree to a cease-fire and immediately take steps to bring an end to systematic killings in areas under their control;

7. Welcomes the assurances of both parties to cooperate with UNAMIR in carrying out its mandate, recognizes that such cooperation will be essential to the effective implementation of the mandate, and demands that both parties adhere to those assurances;

8. Demands further that all parties cease forthwith any incitement, especially through the mass media, to violence or ethnic hatred;

9. Urges Member States to respond promptly to the Secretary-General's request for resources, including logistical support capability for rapid deployment of additional UNAMIR forces;

10. Requests the Secretary-General to ensure that UNAMIR extend the close cooperation it has with the Department of Humanitarian Affairs and the United Nations Rwanda Emergency Office also to the Special Rapporteur for Rwanda appointed by the United Nations Commission on Human Rights;

11. Demands that all parties in Rwanda strictly respect the persons and premises of the United Nations and other organizations serving in Rwanda, and refrain from any acts of intimidation or violence against personnel engaged in humanitarian and peace-keeping work;

12. Emphasizes the necessity that, inter alia:

(a) All appropriate steps be taken to ensure the security and safety of the operation and personnel engaged in the operation; and

(b) The security and safety arrangements undertaken extend to all persons engaged in the operation;

13. Commends the efforts of States, United Nations agencies, international organizations and non-governmental organizations which have provided humanitarian and other assistance, encourages them to continue and increase such assistance, and urges others to provide such assistance;

14. Welcomes the intention of the Secretary-General to establish a special trust fund for Rwanda and invites the international community to contribute generously to it;

15. Commends the tireless efforts of the UNAMIR Force Commander to prevent more innocent lives from being lost, and to bring about a cease-fire between the parties;

16. Commends also the efforts of the Secretary-General and his Special Representative to achieve a political settlement in Rwanda within the framework of the Arusha Peace Agreement, invites them, in coordination with the OAU and countries in the region, to continue their efforts, and demands that the parties undertake serious efforts to bring about political reconciliation;

17. Decides to keep the situation in Rwanda and the role played by UNAMIR under constant review and, to that end, requests the Secretary-General to report to the Council as appropriate, and in any case no later than 9 August 1994 and 9 October 1994, on progress made by UNAMIR in the discharge of its mandate, the safety of populations at risk, the humanitarian situation and progress towards a cease-fire and political reconciliation;

18. Decides to remain actively seized of the matter.

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Security Council

Distr.
GENERAL

S/1994/685
8 June 1994

ORIGINAL: ENGLISH

LETTER DATED 7 JUNE 1994 FROM THE PERMANENT REPRESENTATIVE OF YEMEN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose herewith a statement on the situation in Yemen addressed to you by His Excellency Mr. Abdulaziz Abdul Ghani, member of the Presidential Council of the Republic of Yemen.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Abdalla Saleh AL-ASHTAL
Ambassador
Permanent Representative

Annex

[Original: Arabic]

Statement on the situation in Yemen by Mr. Abdulaziz Abdul Ghani, member of the Presidential Council of the Republic of Yemen

I am pleased to transmit to you the warm greetings of General Ali Abdullah Saleh, Chairman of the Presidential Council of the Republic of Yemen, and of the leadership and people of the country. Yemen is a country of civilization and history that is currently experiencing difficult conditions imposed on it in an attempt to deflect it from the course of proceeding with the advancement of its democratic choice on which it embarked with the establishment of the Republic of Yemen on 22 May 1990. While I am grateful to the Council for its interest in the Republic of Yemen and its concern for the country's security and stability, I should nevertheless like to convey to you on behalf of the people and Government of the country our grave concern at the manner in which the current situation there is being addressed and at the fact that it is being depicted in a way that is at variance with the true state of affairs. It is for this reason that we have come to speak in person before the Council and to place all the facts before you so that your deliberations will not be influenced by matters that bear no relation to the actual state of affairs.

You are all aware that the unification of Yemen has always been a major goal and that our people has long striven for its achievement with great human and material sacrifices. The only reason for this has been the belief of the Yemeni people that it is a single entity and that its national reunification is an indispensable step if it is to join the modern world and ensure its present and future development in such a way as to enable it to participate actively in the advancement of human civilization.

The division of Yemen between two different political entities has always met with the disapproval of the unitary Yemeni people, which never for a moment ceased to demand the unification of the country. At the same time, the division of Yemen and the existence of two political entities in a single homeland was a source of instability inside the country and within its regional setting and was a major cause of warfare on more than one occasion in the 20 years prior to the establishment of the Republic of Yemen.

With a view to bringing an end to division and promoting security and stability, talks on unification began in October 1972 and were pursued by numerous joint committees until 1989. On 30 November 1989 an agreement on definitive procedures for the achievement of unification was signed at Aden.

With the end of the cold war era, many circumstances came together to make it possible for the hope of the Yemeni people for unification to be fulfilled, and the draft Constitution of the unified State, which had been some 10 years in preparation, was ratified by the parliaments of the two formerly separate parts of the country.

The declaration of the establishment of the Republic of Yemen in a peaceful and democratic manner was thus a great victory for the people of Yemen, which deservedly received on that occasion the commendation and felicitations of all the countries of the world and, first and foremost, of the United Nations. In accordance with its procedures, the Organization acts as depositary for all of the legal instruments embodying the dissolution of the legal personalities of the two former States in Yemen and their merger in a new State, namely the Republic of Yemen, on which devolved all of the obligations previously assumed by the two former States.

In the year following unification, in mid-May 1990, a plebiscite was held on the Constitution of the Republic of Yemen, article 1 of which provides that the Republic of Yemen is an independent, sovereign State, that it is an integral unit, and that no part thereof may be relinquished. In the plebiscite, the Constitution received the assent of the people.

In implementation of the Constitution, free general elections were held in a democratic manner and on a multi-party basis on 27 April 1993. They were monitored by numerous organizations and bodies for the promotion of democracy and by representatives of local, regional and world public opinion, and they all testified to the freedom and fairness of the elections. The results were declared to be satisfactory and were accepted by all of the parties that had taken part.

In light of the election results, a coalition government was formed in which the three major parties participated, namely the General People's Congress, the Yemen Reform Group and the Yemen Socialist Party, in accordance with their proportional representation in the elected House of Representatives.

With the announcement of the results of the general parliamentary elections, in accordance with the Constitution, legitimate organs of State reflecting the freely expressed will of the people were finally in place, and thus the State of the Republic of Yemen, with a democratic political system and with its laws administered by State institutions and organs based on constitutional legitimacy, was definitively established.

All of this having been accomplished, we were surprised to find that members of the leadership of the Socialist Party who had participated with us in carrying through all of these measures were trying to impede the democratic process in the country and to restrict its progress towards reform and towards ridding the country of the residual effects of the old totalitarian system applied by the Socialist Party in the southern governorates.

The Socialist Party continues to claim, without having any right to do so and in breach of constitutionally and legally established principles, that it is entitled to exercise tutelage over the southern governorates and to act in their regard in whatever way it wishes. It is nevertheless precisely in these governorates that the population has begun to benefit from the conditions of political and economic freedom brought to them by the State of the Republic of Yemen and by its democratic system on the detritus of the practices of repression, oppression and deprivation that dominated all aspects of political

and economic life throughout the period of totalitarian rule and single-party government that preceded the establishment of the Republic of Yemen.

These few persons in the leadership of the Socialist Party tried to suspend democratic life in the country by impeding the operation of the legitimate organs of State, and primarily the House of Representatives, by refusing to be governed by the principle of the adoption of decisions by majority in accordance with the provisions of the Constitution. As a result, the process of unifying and banning party loyalties in the country's armed forces was discontinued, and this led to the unrightful retention by this group of party control over part of the armed forces. At a subsequent stage, it used this control to intimidate the legitimate organs of State in an attempt to compel them to submit to unlawful demands contrary to the country's Constitution.

In order to avert a clash and out of concern for social order, the legitimate organs of State made sincere efforts to arrive at political solutions that would preserve the country's unity, security, stability and democratic system.

The country saw a wide-ranging political dialogue between the onset of the crisis on 19 August 1993 and its end on 20 February 1994 with the signing in Jordan of the compact and agreement document by the parties to the dialogue of the Yemeni political forces. Instead of then moving on to the stage of actual implementation of the provisions of the document, however, these few persons in the leadership of the Socialist Party began to do what they had threatened to do and proceeded to issue orders, in violation of the law, for the instigation in various parts of the country of armed clashes that were such as to endanger the lives of citizens, despite all our attempts at appeasement made in partnership with a number of friends concerned for the security and stability of the Republic of Yemen.

When this group within the leadership of the Socialist Party found itself unable to achieve its goal, it resorted to the wide-scale use of force, declaring that it was in rebellion and that it wished to revert to the situation prior to 22 May 1990. In so doing, it violated the country's Constitution and rejected compliance with the legitimate State institutions stemming from the elections of 17 April 1993 of which it had previously declared its acceptance.

Thus, very briefly, is the situation in which the Republic of Yemen currently finds itself, and thus are the true reasons for that situation. Obviously, the situation is to be regarded as pertaining to the internal affairs of the Republic of Yemen. In its present form, it does not in any way constitute a danger to international peace and security in our region, and there is therefore nothing to justify the submission of the matter to the Council.

In any country, the adoption by the competent public authorities of deterrent measures to prevent a mutinous group from achieving unlawful ends by the use of armed force in violation of the law is an internal matter for the State itself. The performance by the competent public authorities of their functions in preventing armed mutiny is both an embodiment of the responsibility borne by the State towards its people under the Constitution and an active

contribution to preventing the escalation of such rebellion to the extent where it becomes a danger posing a threat to others outside its borders.

What is currently taking place in the Republic of Yemen is an attempt to dismember the territory of the State by force, and it is this that requires the legitimate organs of State to oppose this brutal attempt in accordance with its constitutional responsibilities and duties to defend the territory, independence, national sovereignty, security and stability of the State and to protect the lives and rights of its citizens.

Accordingly, it seems obvious that the attempt to bring this matter before the Security Council was based on an unrealistic appraisal and one that bears no relation to the true state of affairs. The League of Arab States considered the matter and adopted a resolution in its regard at the beginning of last month, and in its resolution it regards the issue as an internal matter for the Republic of Yemen and at the same time affirms its concern for the unity, security and stability of the country.

Clearly, the statement sometimes made that what is taking place in the Republic of Yemen is a conflict between north and south is very far from true. This is so for many reasons, and primarily because the Republic of Yemen is one State, its people is one people and its political system is based on a Constitution endorsed by the people in a plebiscite. On that basis, democratic political rights are exercised in a normal manner and citizens enjoy equality before the law in accordance with the provisions of article 27 of the Constitution, which affirms that "All citizens are equal before the law; they are equal in public rights and duties; and there is no discrimination between them on grounds of sex, colour, origin, language, occupation, social position or creed". The Government forces that are resisting the armed mutiny are made up of individuals from all regions of the country, including the southern governorates, whose sons are making an effective contribution.

It is also clear that the statement sometimes made by those hostile to unity and democracy to the effect that what is taking place in the Republic of Yemen is an attempt to impose unity by force is completely at variance with the facts. At best, it reflects ignorance of the true state of affairs in the Republic of Yemen, which is that the unification of the country as declared four years ago was achieved in a peaceful and democratic manner and that what is now happening is an attempt at armed mutiny against part of it. It is an unlawful attempt, and because of it the competent organs of State have been forced to invoke their legitimate right to preserve the existence of the State and affirm their responsibility to protect its territorial integrity.

We assure you that the unity of Yemen has always been, is now and shall continue to be a factor in the stability of the country and the region in which it finds itself and that democracy has been, is now and shall always remain the major element in the maintenance of Yemen's unity and progress.

Accordingly, any action aimed at restoring the status of Yemen to that prevailing before 22 May 1990 would return Yemen and the entire region to a climate of tension and instability and would also restore to Yemen an

authoritarian system of government and deprive it of the opportunity for progress and prosperity.

In accordance with the foregoing, we affirm that there is a national consensus on the unity of Yemen and its democratic system among the Yemeni people and its political forces and parties. These two elements represent our choice of destiny from which there will be no retreat and which we are resolved to take further regardless of the difficulties encountered. On this basis, we are prepared to continue the dialogue with moderate unionist elements in the leadership of the Socialist Party for the sake of the unity of the country and in the interests of a life of freedom, justice and equality for all its people.

It is well known and well established in international law that acts of mutiny are regarded as an internal matter falling within the domestic jurisdiction of the State concerned, that its legitimate constitutional authorities have the right to oppose all acts of mutiny and that the exercise of this right is a sovereign act. In accordance with the established norms of international law, the recognition by any State of groups or individuals that engage in acts of rebellion within any other State is an unlawful act that is incompatible with the Charter of the United Nations and constitutes an encroachment on the sovereignty of the State in question and an open interference in its internal affairs. Similarly, the involvement of any State in providing material or moral support to mutinous elements in the Republic of Yemen is to be regarded as a clear violation of the norms of international law as they relate to non-interference in the internal affairs of others. Should that happen, the Republic of Yemen would be justified in addressing that fact in the appropriate ways sanctioned by international law in the context, inter alia, of the rules of reciprocity.

The Government of the Republic of Yemen would wish that, in the context of the current internal situation in the country, the Governments of fraternal and friendly States might have regard for these considerations, for the higher national interests of the Yemeni people and for common interests that link that people with such fraternal and friendly States. At the same time, it reaffirms that what takes place in any location in the territory of the Republic of Yemen is an internal matter and that the Government of the country will address that matter in appropriate ways that preserve its territorial sovereignty and integrity. The Government of the Republic of Yemen hopes that all States will abide by the conventions and treaties in force and will observe the norms of international intercourse, including those of good neighbourliness and non-interference in the internal affairs of other States.

I hope I have provided the Council with all the facts relating to the subject under your consideration, and I am fully confident that you can only be on the side of truth in a world for the maintenance of whose security and stability you bear responsibility. We hope that the outcome of your deliberations will be in harmony with the aspirations of our people for the preservation of the unity of its country, the protection of its security and stability and the consolidation of the democratic course on which it has embarked. As you know to be its practice, we assure you that the Republic of Yemen will continue to abide by the Charter of the United Nations, the Universal Declaration of Human Rights and the recognized norms of international law, that

it will remain faithful to all of the obligations entailed by its membership of the United Nations and that it looks forward to assuming a larger role in strengthening peace and security in our region and in the world as a whole.

UNITED NATIONS **S**

Security Council

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S/1994/686
9 June 1994
ENGLISH
ORIGINAL: ENGLISH AND FRENCH

LETTER DATED 7 JUNE 1994 FROM THE PERMANENT REPRESENTATIVES OF ARGENTINA, CANADA, FRANCE, THE UNITED STATES OF AMERICA AND VENEZUELA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

The Friends of the Secretary-General on the question of Haiti have the honour to request that the text of the enclosed statement be circulated as a document of the Security Council.

(Signed) Louise FRECHETTE
Permanent Representative of
Canada to the United Nations

(Signed) Madeleine K. ALBRIGHT
Permanent Representative of the
United States of America to the
United Nations

(Signed) Jean-Bernard MÉRIMÉE
Permanent Representative of
France to the United Nations

(Signed) Enrique TEJERA-PARIS
Permanent Representative of
Venezuela to the United Nations

(Signed) Emilio J. CARDENAS
Permanent Representative of
Argentina to the United Nations

Annex

[Original: English]

Statement of conclusions adopted by the meeting of the Friends of the Secretary-General on Haiti, held in New York on 3 June 1994

1. Representatives of the Friends of the Secretary-General of the United Nations on the question of Haiti (Argentina, Canada, France, the United States of America and Venezuela) met in New York on 3 June 1994 in the presence of the Special Representative of the Secretary-General of the United Nations, in order to examine ways to find an end to the Haitian crisis.

2. The Friends reiterated their unequivocal determination to bring about the rapid return of President Aristide, and to restore constitutional order in the country as provided for in the Governors Island Agreement. They fully agreed that the central obstacle to this objective remains the refusal of the military authorities to carry out their obligations. The Friends called on the Haitian military and its latest purported government to surrender power immediately.

3. They condemned the ongoing and systematic violation of human rights for which these authorities are fully responsible. They expressed their full support for all democratic forces in Haiti and warned against further acts of violence and intimidation against them.

4. In view of the continued intransigence of the military authorities, the Friends expressed their strong commitment to make fully effective and to maintain firmly in place the current sanctions regime.

5. In this regard, the Friends welcomed the decision by the Dominican Republic to take immediate action to seal its land border with Haiti and its request for international technical assistance to this end. The Friends expressed their readiness to assist the Dominican Republic in carrying out this goal.

6. The Friends also welcomed the decision by the Dominican Republic to enhance maritime cooperation to combat contraband to and from Haiti. To this end, they agreed to pursue with the maritime interdiction force, currently enforcing the international embargo outside Haitian waters, immediate and concrete ways it could work with the Dominican authorities.

7. The Friends expressed their readiness to consider, on a national basis, further measures such as suspension of commercial air flights, as recommended by the Organization of American States in June 1993, and banning international financial transactions.

8. The Friends expressed their deep concern for the plight of the Haitian people in the absence of a solution to the crisis. They agreed to continue to provide substantial humanitarian assistance to meet the needs of the poorest population.

9. The Friends recognized that, following the departure of the Military High Command and the return of President Aristide, considerable support will be necessary to assist in the full restoration of democracy and the process of national reconciliation.

10. In this context, they underlined the importance of free, fair and constitutional elections as an essential element towards the restoration and consolidation of democracy in Haiti. The Friends agreed to begin without delay contingency planning with a view to providing all possible assistance in this process.

11. They equally agreed to explore concrete ways to provide assistance for the strengthening of an independent judiciary and democratic institutions.

12. The Friends agreed to review, update and exchange information on their bilateral cooperation and assistance projects, and to promote similar action in relevant multilateral organizations, including financial institutions, with a view to providing assistance to a reinstated democratic government.

13. Finally, the Friends expressed their determination to promote the full redeployment of the United Nations Mission in Haiti (UNMIH) when conditions permit. To this end, they envisage the reconfiguration and strengthening of this mission, and invite the Secretariat to take appropriate measures in order to prepare for the quick return of UNMIH to Haiti.

14. The Friends supported the establishment of an active communications campaign, which would include the use of a radio station, directed at promoting democracy in Haiti.

15. The Friends thank the Secretary-General of the United Nations and his Special Envoy, Mr. Dante Caputo, for their untiring efforts and reaffirm their full support to them.

16. The Friends will continue to consult closely with President Aristide as they work towards his return and the restoration of democracy in Haiti.

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LETTER DATED 9 JUNE 1994 FROM THE PERMANENT REPRESENTATIVE OF SWEDEN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose herewith a letter dated 9 June 1994 from the Chairman of the Conference on Security and Cooperation in Europe (CSCE) Minsk Conference and Minsk Group, Ambassador Jan Eliasson addressed to the President of the Security Council.

I would be grateful if you could arrange for the present letter and its enclosures to be circulated as a document of the Security Council.

(Signed) Peter OSVALD
Ambassador
Permanent Representative of Sweden
to the United Nations

Annex

Letter dated 9 June 1994 from the Chairman of the Conference on Security and Cooperation in Europe Minsk Conference and Minsk Group addressed to the President of the Security Council

Pursuant to paragraph 8 of Security Council resolution 884 (1993), I wish to report on the present efforts made by the Conference on Security and Cooperation in Europe (CSCE) Minsk Group to achieve a peaceful settlement of the conflict in and around Nagorny Karabakh. This is being done after consultations and in close coordination with the Chairman-in-Office of the CSCE Council, Mr. Antonio Martino.

Around 10 April 1994, a serious military escalation took place in the region, with reportedly heavy losses and material damage. According to several reports, Nagorny Karabakh forces have advanced in areas situated east and north of Nagorny Karabakh.

On 11 May, a cease-fire was agreed upon between the parties on the military level. This cease-fire, although fragile, has been in force since 12 May and is largely being respected. It is my assessment that the parties remain convinced that no military solution can be found to this conflict. They also foresee a central role for CSCE in the peace process.

An informal meeting of the CSCE Minsk Group was held at Prague on 14 and 15 April. The meeting was preceded by informal, bilateral discussions between myself as Chairman of the Minsk Group and the parties. Among the subjects discussed were conditions for and monitoring of a cease-fire; withdrawal, return of refugees and the removal of obstacles to communications; guarantees; humanitarian assistance; and confidence-building measures. A document on confidence-building measures was adopted and is enclosed with the present letter.

On behalf of the Nine of the Minsk Group, I made a statement in connection with the meeting, condemning attacks on the civilian population and targets as well as new military offensives. The CSCE Troika adopted a statement to the same effect at its meeting at Venice on 14 May.

A visit to the region by the Deputy Chairman of the Minsk Group, Ambassador Mathias Mossberg, took place from 25 April to 2 May. It resulted in the acceptance by the parties of elements for an agreement to consolidate the existing cease-fire mainly through an international monitoring component.

During the period from 12 to 16 May, I and the Special Envoy of the President of the Russian Federation, Ambassador Vladimir Kazimirov made a joint visit to the region. During this visit, a draft agreement to consolidate the cease-fire was elaborated and accepted in principle by the parties. The draft agreement foresees deployment by monitors from CSCE, including the Russian Federation and/or the Commonwealth of Independent States. It also envisages that negotiations about the cessation of the armed conflict and the elimination

of its consequences are expected to be concluded approximately two weeks after signature. The relevant substantive issues involved were also discussed during the visit.

Several rounds of consultations have taken place since the joint visit in order to further integrate CSCE and Russian mediation efforts. These efforts now focus on the elaboration of a common concept for the monitoring of a cease-fire. They also concern questions relating to the application of CSCE principles of peace-keeping laid down in the Helsinki Document of 1992, in the event of a joint monitoring of a withdrawal as well as the provision of appropriate security guarantees. Talks for this purpose are now to take place in Moscow and will shortly thereafter be followed by another visit to the region. The purpose of this visit is to finalize the agreement to consolidate the cease-fire but also to lay the basis for a solution of other outstanding issues. It is important that the irreversibility of the peace process is being assured, in the event that a first step is agreed upon.

The preparedness of CSCE to deploy monitors of a possible cease-fire has increased substantially after a series of discussions in Vienna during April and May.

Recent military activities have resulted in an increased number of refugees and displaced persons in the area. Reports indicate that between 30,000 and 50,000 new refugees and displaced persons have been added to the already existing number, estimated at more than 1 million. Humanitarian needs in the region therefore remain considerable. I very much hope that responses to the United Nations Consolidated Inter-Agency Appeal for the Caucasus, launched at the end of April, will be positive and generous.

We now find ourselves at a critical phase in the peacemaking efforts. It is urgent and necessary that all those concerned unite to take concrete steps to achieve a solution to this tragic conflict. It is particularly important that all sides refrain from taking action that can lead to further military escalation. During our recent visit, it was repeatedly stated by the leadership in the area that there now exists a historic opportunity which must not be missed. This task, they said, is a joint responsibility.

I shall continue to inform the Security Council and the Secretary-General of the further work of the Minsk Group.

(Signed) Jan ELIASSON
Ambassador
Chairman of the CSCE Minsk Conference
and of the CSCE Minsk Group

Enclosure

Confidence-building measures for possible application in the conflict in and around Nagorny Karabakh (revised)

General

The list is indicative and non-exclusive. Suggested confidence-building measures in several cases overlap or include each other.

The most urgent measures and those which could contribute to reaching an early case-fire should be implemented first. The implementation of agreed confidence-building measures will constitute an integral part of a dynamic positive process.

Attention should be given to the follow-up of agreed confidence-building measures in order to clarify ambiguous situations, build confidence, reduce mistrust and avoid misperceptions.

A. Humanitarian law

The parties have undertaken to respect the provisions of international humanitarian law. Their adoption of the humanitarian measures listed below in no way detracts from this commitment.

1. Obligations not to undertake offensive action against civilians and, in the conduct of military operations, such as air raids or heavy shelling, to take constant care to spare the civilian population and civilian objects, to be respected.

2. No use will be made of:

   - Ammunition or bombs with flechettes and/or sub-ammunition components;
   - Low-precision rocket-weapons;
   - Cluster bombs;
   - Anti-personnel land-mines.

3. Commitments of respect for natural resources and historical or religious monuments in and out of combat areas.

4. Undertakings not to permit looting to be respected.

5. Unconditional and immediate release of all civilians kept as hostages. Commitment to put an end to the practice of hostage taking.

6. Exchange of information through the International Committee of the Red Cross (ICRC) and in conformity with standard ICRC criteria, on all captured combatants, civilians detained in relation with the conflict, hostages, as well as on the dead and on the location of graves.

Family members of such persons are given access to this information.

7. Regular access for ICRC and, possibly, other international organizations, to all captured combatants, civilians detained in relation with the conflict and hostages, whether in camps, private homes or elsewhere.

8. Repatriation or return of bodies of civilian and military victims should take place immediately and unconditionally. (In order to facilitate the identification of the dead, all combatants should wear an identity disc).

9. Establishment of a mechanism for the exchange of captured combatants, through the intermediary of ICRC or other international organizations.

10. Conclusion of temporary and local cease-fire agreements if necessary under the auspices of ICRC or other international organizations, to allow for the retrieval of dead and wounded.

11. Parties should prepare mine maps and ascertain that clearing their own minefields is possible.

12. After the cessation of hostilities, exchange of information on minefields and areas with mines or other harmful objects or arrangements should take place. Such information will then also be handed over to CSCE and monitors.

13. Support of efforts to identify and prepare a system of prosecution, with due process of law, against persons suspected of violations of humanitarian law.

B. Assistance and protection of humanitarian agents and operations

1. Unimpeded movement of all humanitarian aid by air, land or sea to and from the region of conflict and neighbouring countries, including undertakings to allow the use of transport facilities for such movement.

2. Public statements ensuring that the work of CSCE, the United Nations humanitarian organizations, accredited diplomats, designated monitors, observers, rapporteurs, peace-keeping forces, non-governmental organizations for humanitarian assistance and media representatives will be facilitated, and that these will be afforded all possible protection.

The Red Cross and Red Crescent emblems will be respected.

3. Supply of natural gas and electricity by Azerbaijan to Nakhichevan through Armenia.

4. Use by Azerbaijan of Armenia's auto roads for the transport of humanitarian aid to Nakhichevan.

C. Transparency

1. Agreement to avoid public statements which could escalate the conflict.

2. Establishment of direct lines of communication between the parties and/or their operational headquarters, including at field command levels.

3. Establishment, under the supervision of the Joint Coordination Commission, of possibly multinational, liaison teams with direct communication capabilities, between local operational headquarters.

4. Provision of relevant data to the Chairman of the Minsk Group, including:

   - Numbers of militarily significant formations and units and their locations;

   - Relevant weapon and equipment systems and personnel strengths;

   - Detailed information on command structure, broken down to the lowest possible sensible level.

5. Parties support and recognize that a CSCE mission may openly inform about events in their area of action.

6. Parties should initiate discussions under the auspices of the Chairman of the Joint Coordination Commission, after arrival of a CSCE mission to the area.

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LETTER DATED 8 JUNE 1994 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF AZERBAIJAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith a letter dated 7 June 1994 from the Minister for Foreign Affairs of Azerbaijan, Mr. Hassan A. Hassanov, addressed to you (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Yashar T. ALIYEV
Chargé d'affaires a.i.

Annex

[Original: Russian]

Letter dated 7 June 1994 from the Minister for Foreign Affairs of Azerbaijan addressed to the President of the Security Council

Allow me to convey to you information on the situation that has developed with respect to the process aimed at a peaceful settlement of the conflict with the Republic of Armenia, which, in spite of numerous efforts by international organizations and individual States, is pursuing its aggression against my country. I felt that it was appropriate and necessary to do so given the distortion of the real situation by the Armenian side, which was most recently reflected in the letter dated 23 May 1994 from the Permanent Representative of Armenia to the United Nations, Mr. A. Arzoumanian, addressed to the President of the Security Council (S/1994/602). Considering it beneath my dignity to react to the very far from diplomatic tone of the letter, which is consistent with the policy of the Republic of Armenia, including its relations with my country, I wish to draw your attention to the following.

Azerbaijan has repeatedly provided tangible evidence of its commitment to the principles of the peaceful settlement of disputes and has based its approach to a settlement of the conflict between Armenia and Azerbaijan on the generally accepted norms of respect for the sovereignty and territorial integrity of States and respect for human rights. All our efforts to break the deadlock in the conflict, however, have come up against the formidable obstacle of the Republic of Armenia, which is seeking to consolidate the results of its aggression against Azerbaijan.

There is more than ample evidence of Armenia's annexationist designs on Azerbaijan. I will confine myself to mentioning the legislation enacted by the Parliament of Armenia on 1 December 1989 concerning the annexation of Nagorny Karabakh to Armenia and the decision adopted by the Parliament on 8 July 1992 on the non-acceptance by the Republic of Armenia of any international or national instrument in which Nagorny Karabakh is identified as a part of Azerbaijan. To this should be added the continuing obstruction by the Republic of Armenia of the decisions of international organizations, in particular the Conference on Security and Cooperation in Europe (CSCE) and the North Atlantic Cooperation Council, which reaffirm and support the sovereignty and territorial integrity of the Azerbaijani Republic. At the meeting of Heads of State of the Commonwealth of Independent States, held in Moscow on 15 April 1994, Armenia was alone among the 12 members of the Commonwealth in refusing to sign the declaration on the sovereignty, territorial integrity and inviolability of the frontiers of the States members of the Commonwealth.

The aforementioned acts were nothing other than political and legal aggression against a sovereign State. They were subsequently followed up by the large-scale armed aggression carried out by powerful armed groups formed by the Republic of Armenia in the territory of Azerbaijan and centred on the Nagorny Karabakh region, which, following the capture of the Lachin district of Azerbaijan in May 1992, has virtually been annexed to Armenia. Following the

capture of Shusha and the expulsion of some 50,000 Azerbaijani inhabitants from 53 Azerbaijani settlements in Nagorny Karabakh, the Armenian armed forces, using their bridgehead in Nagorny Karabakh, went on to occupy several other Azerbaijani districts, representing 20 per cent of the national territory.

The occupation has been accompanied by massive ethnic cleansing directed against the Azerbaijani inhabitants. At the present time, as a result of the aggression committed by the Republic of Armenia, more than a million Azerbaijanis (nearly 15 per cent of the total population) are suffering terrible hardships in the tent cities that have been set up to accommodate the refugees and displaced persons. Earlier, in 1988 and 1989, the massive deportation of 200,000 Azerbaijanis concentrated in the Geicha-Zangezur district of the Republic of Armenia was carried out.

Even today, in pursuing its efforts to realize its annexationist designs, the Republic of Armenia is carrying out a programme for the resettlement of Armenians in what the President of Armenia has termed the "temporarily captured" territories of the Azerbaijani Republic, after having first proceeded to cleanse the region of its Azerbaijani inhabitants.

We have already brought to the attention of the Security Council unambiguous evidence of direct involvement by the regular army of the Republic of Armenia in the aggression against sovereign Azerbaijan. I would only mention briefly the most recent indications of this involvement. According to military documents captured in January 1994, one of the subunits of the 555th motor rifle regiment of the armed forces of the Republic of Armenia set out from the town of Vardenis, in Armenia, and proceeded to the Kelbajar district of Azerbaijan in order to reinforce the Armenian occupying forces in that district, where the subunit was routed. The military maps captured in the fighting contain the handwritten signatures of officers of the Ministry of Defence of Armenia, including the Chief of the General Staff of the armed forces of the Republic of Armenia, Lieutenant General Andresian. One of the maps is a plan for the capture of the Kelbajar district of Azerbaijan, which was already carried out in March/April 1993. According to information in our possession, elements of the 83rd brigade of the armed forces of the Republic of Armenia are operating in the occupied Fizuli district of the Azerbaijani Republic and subunits of the brigade deployed in Vanadzor, Armenia, are controlling the Lachin district of Azerbaijan, which was captured in May 1992.

In the course of combat activities, particularly in the Fizuli and Agdam areas of Azerbaijan, units of the Azerbaijani army captured as trophies a number of T-72 main battle tanks whose factory serial numbers are identical with the numbers of tanks received by the Republic of Armenia at the time of the distribution of the military property of the former USSR in 1992. That military equipment is listed as belonging to the Republic of Armenia and is subject to all the provisions of the Treaty on Conventional Armed Forces in Europe, which has been flagrantly violated by Armenia.

The direct participation of armed forces of the Republic of Armenia in the war going on in the territory of Azerbaijan is incontrovertibly demonstrated by the Armenian military personnel captured as prisoners of war, who had been called to active military service by the military, commissariats of Armenia and

assigned to the military units of the armed forces of the Republic of Armenia, and copies of whose personal documents have been submitted to the Security Council by Azerbaijan.

The Republic of Armenia, which declares its devotion to the principles of the Charter of the United Nations and other fundamental international norms, is in actuality refusing to comply with the requirements of the well-known Security Council resolutions concerning the immediate, unconditional and complete withdrawal of Armenian armed units from all occupied Azerbaijani territories and the return of fugitives and displaced persons to their places of permanent residence. The Republic of Armenia is taking advantage of the negotiation process to gain time with a view to increasing its military presence and expansion deep into Azerbaijan. Disregarding the norms of international law, the Republic of Armenia is pursuing a policy of "fait accompli" concerning the occupied Azerbaijani territories.

The Armenian formula of "negotiations by force" is, in practice, making the settlement process counter-productive. Categorically refusing to withdraw its forces from Azerbaijan, Armenia is imposing as a condition for the liberation of occupied Azerbaijani territory - and in fact only part of that territory - the granting of status to the Nagorny Karabakh region of the Azerbaijani Republic, demanding the retention of its military potential in that region and control over the Lachin district of Azerbaijan, which amounts to strengthening the annexation of those Azerbaijani territories. In this connection, Armenia is completely rejecting the restoration of the demographic situation in the Nagorny Karabakh region to what it was before the conflict began and the return of the Azerbaijani population to those areas, including the city of Shusha, one of the oldest Azerbaijani cultural centres.

With regard to the other occupied Azerbaijani areas - those of Agdam, Fizuli, Djebrail, Kubatly, Zangelan and Kelbajar - the withdrawal of Armenian forces is being conditioned by Armenia not only on the granting of status to the Nagorny Karabakh region but also on the return only of police personnel limited by the security needs of the Azerbaijani population. This, however, would seriously infringe the security of the Azerbaijani side and call into question the actual return of the civilian population so long as the Armenian military clique remains in the Nagorny Karabakh region, or, to use a more accurate expression, occupies it militarily.

In these circumstances, the Republic of Armenia is proposing that international disengagement forces should be stationed on the perimeter of the region of the Azerbaijani Republic occupied by Armenian troops, holding those international forces hostage to its policy and thereby making them an instrument for maintaining the status quo and reinforcing the annexation of Azerbaijani territory.

There is no need for further comment on the prospects of such a process of "peaceful" settlement. Of course, any discussion of the problems, including the problem of status, after the de facto establishment by the Republic of Armenia of a mono-ethnic Armenian militaristic formation in the territory of the Azerbaijani Republic would be a one-sided discussion dominated by force.

Such negotiations are contrary to all international principles and norms. The very act of conducting peaceful negotiations with an aggressor would be tantamount to legitimatizing brute force and recognizing the annexation of territory belonging to the sovereign Azerbaijani State, a member of the United Nations. The machinery of peaceful negotiations can begin to operate during the next stage, after the aggression has been eliminated. There is no room for compromise in a matter which concerns the sovereignty and territorial integrity of a State and the rights of its nationals.

Azerbaijan is striving for peace and harmony in the region and calls upon Armenia to do so, but it will not acquiesce in blatant "arm-twisting". The war is being fought in our territory, and we have been forced to take appropriate measures in order to repel the aggression and to defend ourselves. This is an inalienable right enshrined in the Charter of the United Nations.

Nevertheless, Azerbaijan is devoted to a peaceful settlement of the conflict and is making tireless efforts to achieve it, concerning which it has informed the Security Council at the proper time. But a great deal depends on the position of the Republic of Armenia, which, continuing to obstruct the peace process, has refused to sign the Agreement for the Strengthening of the Cease-fire Regime, drawn up by Jan Eliasson, Chairman of the Minsk Group of CSCE, and signed by Azerbaijan on 20 May 1994. Notwithstanding the continuing provocative actions of the Armenian armed forces, the Azerbaijani side is continuing to observe the cease-fire.

The key factors in the settlement are the immediate, unconditional and complete withdrawal of Armenian occupation forces from the Azerbaijani Republic, the disarming and disbanding of the armed formations established by Armenia in the Nagorny Karabakh region of Azerbaijan and the return of fugitives and displaced persons to their places of permanent residence. Only after the consequences of the aggression have been eliminated will it be possible to initiate a stable and productive negotiation process with a view to achieving a peaceful settlement of the conflict.

With regard to those Armenian residents of the Nagorny Karabakh region of Azerbaijan who are nationals of the Azerbaijani Republic, our Government will be prepared to guarantee their safety and their rights under the Constitution of the Azerbaijani Republic in accordance with international norms. But that will be possible under truly peaceful conditions, on the basis of the normalization of life and the return of the expelled Azerbaijanis to the region.

I am convinced that our just position, based on the principles of the Charter of the United Nations, will receive understanding and support from you and the members of the Security Council.

(Signed) Hassan HASSANOV